G.R.S. IX—5]

Previous references 1922. **File No.** 187-22

(new)

Serial Nos. 1 2 3 4

Later references.

Jammu 346-28-3, 5, 7-9
" 135-28-1--7
Nagpur
Nizam's

GENERAL AND REVENUE SECRETARIAT.

6, 37-2.
129-34-1-3
Jammu 119-40, 1-2
122-44-(1-4) 8 Sept 45

Serial Nos. ~~Jammu~~

Part B for Jammu & Kashmir

SUBJECT

Question raised in the matter of the Foreign Office No: 106, for the revision of the period of leave from 5 years 6 - two years.

To the Hon. Secretary to Govt.
Foreign & Political Dept.
D.O. No. 2-107 dt 18-1-1923
Ref: 187-22-4

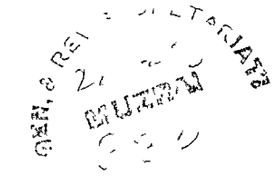
The proposal of the Hon'ble is supported.
To the Darbar Secretary
Copy to the Darbar Secretary

Printed on the Multigraph.

191

Subjects discussed

R.B. Bangalore 1922.



Muz 187-22-1

Subject No. 10b

The period for which Muzrai lands are leased out to be raised from 5 years to ten.

Messrs. Narasimhamurty Rao, Chennappa & Chennaboregowda, Mandya Taluk.

Summary of Representation.

The lands belonging to the Muzrai institutions are being given for cultivation on *gutta* tenure once in five years. As this period is not enough to enable the cultivators to make good the losses likely to be sustained by themselves and to keep the lands in a flourishing condition, it may be ordered that such lands may be given on *gutta* tenure for ten years at a time.

Note:—Not discussed for want of time.

A copy of G.O. nos. 517-25/Mur 165-16-8 & 29-8-17 and 2594-602/Mur: 366-18-2 & 25-2-19 bearing on the subject discussed for perusal. Each case is being dealt with on its merits in appeal. In fact there are several instances, especially in Malnad tracts where long leases have been granted.

The orders as now in force do not seem to require any modification.

May the Muzrai Mur Com^r be informed.

Sec. 2. To The Muz: Comm^r no: 1289 & 18th Sept^r — Tenures of 5 years' lease is sufficient in the case of garden lands.

In the case of Cocoanuts a period of 5 years to cultivators

of the Mg. Comm
Mg/Re Cables for A
Force Mentioned) 11/4/22

2089-228
11.9.22 A. approves

12.9.22

14-9-22

General and Revenue Secretariat. | File No. | of 19

Serial No.

3

From, the Inspr Gen.
Letter no. 206 dy 15 11 22.
Recommend ...
Matter Re

The Insp Gen. has given his opinion in the matter of the leasing out of the inam lands enclosed to Mepsrs in Statement showthere major or minor.

In respect of the inam lands lying in the porambias of the temple servants, the Insp Gen. is of opinion that the temple servants may be left undisturbed as provided that they are willing to pay annually such sums as may be fixed in each case, after taking ... necessary the probable receipt for the land and the necessary ... for the ... They may ... the ... the ... the

Serial No.

in the hands of those than temple servants, the Inspector states that the present arrangement of leasing out these lands for a period of 5 years be continued provided that in the case of garden lands, the period may be enlarged to 10 years.

As the periodical change of lessees is likely to result in the deterioration of the lands owing to the lessees not taking any interest in their permanent improvements, he suggests that the lease may be renewed in favour of existing lessees under the prescribed conditions.

The Inspector states that in each case, the annual proceeds may be fixed by the Dist. Collr. in consultation with the Committee of Dharmakartas.

S. III-21

General and Revenue Secretariat.

File No. (8) of 19 22

Serial No.	
	Finl Member) 12/12/22
4883-375 12.12.22	Secy. Don't approved. Secy. 13.12.22 — 14/12/22 Please put Mr file 115 — 16-12. 15/12/22
4	No 2101/Mur 187-22-4 dt 18/4/23 to the Mur. Comm. Sanctioning the proposals of the Mur. Comm. re lease of Waqf lands endowed to Murpai Institutions.

NOTE—Contn. sheet.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 1232-22

General and Revenue Secretariat

( )

, the *191*

Date of issue 18-9-22

Signed by J. R. T. E. G. Gyer

Section Mug

File No. 187-22

Serial No. 2

No. 1289 Rec 20/9

to The Mug. Comr in Mysore

Sir

am directed to refer to the marginally noted subject and to forward herewith the R. B. passed by the Legislature during the Session of 1922

I have the honour to be

Sir

Your most obedient servant

Asst Secretary

Mug Board

Encl

Date

* Subject

Mug Board's letter

Encl

Date

over.

ase of Garden Lane
ended in two sisters.
Then a lease for a period
of 5 years, is Renewed.
2 Printed Copies of Act
of 29-8-1917 and 25-2-1915
re Calling by Law Conveying General
Instructions for the Trial of
the Crown and of the
Receipts Under which
of [illegible]

W/15[illegible]/2

84
1419/22

List of enclosures.

Copied by

Examined by

G 1

C No.2047/22-23

Office of the Muzrai Commissioner
in Mysore,

Dated, Bangalore, the 17th November 1922.

From

K.R. Srinivasiengar, Esq., M.A.,
Muzrai Commissioner in Mysore.

To

T.E. Jevarama Aiyar, Esq., B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Revenue Department.

Sir,

With reference to your letter No.1289/M.F.187-22-2 dated 18th September 1922 inviting my reference to subject No.106 brought forward at the Representative Assembly Meeting of the Dirthday Session of 1922 regarding the period for which Muzrai lands are leased out to be raised from 5 years to ten and calling for my opinion as to whether in the case of garden lands endowed to Muzrai Institutions a lease for a period of 5 years is sufficient, I have the honor to state that the frequent change of lessees in respect of gardens is sure to result in the deterioration of the gardens and consequently in eventual loss to the institutions and it is therefore very desirable that the period of five years now prescribed should be extended.

2. In this connection, I beg to state that in the treatment of Inam lands which are in the possession of temple servants and which they enjoy as remuneration either wholly or in part for the services which they render, the instructions conveyed in Government Order No.2594-602/M.F.366-18-2 dated 25th February 1919 make a distinction between Major and Minor Institutions. In respect of Minor institutions, the lands are required to be left ordinarily in the possession of the temple servants themselves subject to the condition that a reasonable sum should be paid every year by the occupants out of the proceeds of the lands as

as reserve for repairs and occasional charges in connection with the institution. But in the case of Major institutions, the instructions require that the lands should as a rule be taken away from the hands of the temple servant and leased out in open competition in the best interests of the temple. I think that the strict application of this rule is likely to work as a great hardship in the case of the Major Institutions. I am of opinion that in respect of all institutions whether Major or Minor, the possession of the lands by the temple servants who have been long in enjoyment of them may be left undistrubed, provided they are willing to pay annually such sum as may be fixed, in each case, after taking into account the probable receipts from the land and the remuneration to be paid for the service concerned. The amount payable to the temple in each case may be fixed by the Deputy Commissioner in consultation with the Committees of Dharmadarsis.

When the temple servants concerned are not willing to pay the sum fixed in any case, the lands may be taken away from their hands and leased out to others, the remuneration due to the servants being paid to them in cash from the rental obtained from the land.

3. In respect of the remaining lands, i.e., those which are in the hands of other than temple servants, the present arrangement of leasing out the lands for a period of 5 years may be continued, provided that in the case of garden lands the period of the lease may be extended to 10 years.

4. As the periodical change of lessees is likely to result in the deterioration of the lands owing to the lessees not taking any interest in their permanent improvement, I think it is very desirable that some inducement should be offered to them to improve the lands by holding out a promise of the continuance of the tenancy to them. I would therefore propose that it may be made a rule that while the tenancy will, in the first instance, be restricted to 5 years (or 10 years in the case of gardens), the tenant will be entitled to have the lease renewed in his favour for a fresh term if he wishes it, provided he is willing to pay such revised rate of

of rent as may be fixed by the Deputy Commissioner in consultation with the Dharmadarsis, regard being had to the altered conditions at the time and after taking into consideration any improvements which might have been effected by him to the lands. When such revision results in an appreciable reduction of the rent calling for the revision of the prescribed scale of expenditure, the Deputy Commissioner may be required to take necessary action for revising the scale so as to keep down the expenditure within the reduced income of the institution.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

D.F.

Proceedings of the Government of H. H.

the Maharaja of Mysore.

Read --

Government order No.517-25/Mu .
115-15-7 dated 28 20th August 1917 directing that leases of inam lands belonging to Muzrai institutions should not ordinarily be granted for more than 5 years at a time.

Subject No.100 brought up during the Birthday Session of the Representative Assembly of 1922, by Messrs. Narasimharao Rao and others of Mudgal Taluk to the effect that the period for which Muzrai lands are leased out may be raised from 5 years to ten years.

Letter No.C.20- dated 16th November 1922 from the Muzrai Commissioner on the subject:-

(In extenso)

- - -

Order -- No. 2101
Mis2 187-22-24

Dated Bangalore, the
18th January-1923

Government agree with the Muzrai Commissioner and are pleased to sanction the proposals contained in his letter read above.

Ch 2/12/22

Secretary to Government.
Revenue Department.

To

The Muzrai Commissioner in Mysore.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS

G. O. No. 2101/Muz. 187-22-2 Bangalore Dated 18th January 1923.

Duration of the lease of inam lands endowed to Muzrai Institutions.

Read—

(1) Government Order No.517-25/Muz.115-16-8 dated 29th August 1917 directing that leases of inam lands belonging to Muzrai institutions should not ordinarily be granted for more than five years at a time.

(2) Subject No.106 brought up during the Birthday Session of the Representative Assembly of 1922, by Messrs. Narasimhamurthi Rao and others of Mandya Taluk to the effect that the period for which Muzrai lands are leased out may be raised from five years to ten years.

(3) Letter No.C.204 dated 18th November 1922 from the Muzrai Commissioner on the subject (in extenso).

With reference to your letter No. 1289/M. F. 187-22-2 dated 18th September 1922 inviting my reference to subject No.106 brought forward at the Representative Assembly Meeting of the Birthday Session of 1922 regarding the period for which Muzrai lands are leased out to be raised from five years to ten and calling for my opinion as to whether in the case of garden lands endowed to Muzrai Institutions a lease for a period of five years is sufficient, I have the honor to state that the frequent change of lessees in respect of gardens is sure to result in the deterioration of the gardens and consequently in eventual loss to the institutions and it is, therefore, very desirable that the period of five years now prescribed should be extended.

2. In this connection, I beg to state that in the treatment of Inam lands which are in the possession of temple servants and which they enjoy, as remuneration either wholly or in part for the services which they render, the instructions conveyed in Government Order No. 2594-602/M.F.366-18-2 dated 25th February 1919 make a distinction between Major and Minor Institutions. In respect of Minor institutions, the lands are required to be left ordinarily in the possession of the temple servants themselves subject to the condition that a reasonable sum should be paid every year by the occupants out of the proceeds of the lands as reserve for repairs and occasional charges in connection with the institution. But in the case of Major institutions, the instructions require that the lands should as a rule be taken away from the hands of the temple servant and leased out in open competition in the best interests of the temple. I think that the strict application of this rule is likely to work as a great hardship in the case

of the Major Institutions. I am of opinion that in respect of all institutions whether Major or Minor, the possession of the lands by the temple servants who have been long in enjoyment of them may be left undistrubed, provided they are willing to pay annually such sum as may be fixed, in each case, after taking into account the probable receipts from the land and the remuneration to be paid for the service concerned. The amount payable to the temple in each case may be fixed by the Deputy Commissioner in consultation with the committees of Dharmadarsis.

When the temple servants concerned are not willing to pay the sum fixed in any case, the lands may be taken away from their hands and leased out to others, the remuneration due to the servants being paid to them in cash from the rental obtained from the land.

3. In respect of the remaining lands, *i. e.*, those which are in the hands of other than temple servants, the present arrangement of leasing out the lands for a period five years may be continued, provided that in the case of garden lands the period of the lease may be extended to ten years.

4. As the periodical change of lessees is likely to result in the deterioration of the lands owing to the lessees not taking any interest in their permanent improvement, I think it is very desirable that some inducement should be offered to them to improve the lands by holding out a promise of the continuance of the tenancy to them. I would therefore propose that it may be made a rule that while the tenancy will, in the first instance, be restricted to five years (or 10 years in the case of gardens), the tenant will be entitled to have the lease renewed in his favour for a fresh term if he wishes it, provided he is willing to pay such revised rate of rent as may be fixed by the Deputy Commissioner in consultation with the Dharmadarsis, regard being had to the altered conditions at the time and after taking into consideration any improvements which might have been effected by him to the lands. When such revision results in an appreciable reduction of the rent calling for the revision of the prescribed scale of expenditure, the Deputy Commissioner may be required to take necessary action for revising the scale so as to keep down the expenditure within the reduced income of the institution.

ORDER No. 2101/Muz. 187-22-2 DATED 18th JANUARY 1923.

Government agree with the Muzrai Commissioner and are pleased to sanction the proposals contained in his letter read above.

T. E. JEYARAMA AIYAR,
Secretary to Government,
Revenue Department.

To —The Muzrai Commissioner in Mysore.
Copy to Dasara Section.